

MESSAGE NO: 4124201 MESSAGE DATE: 05/03/2004

MESSAGE STATUS: Active CATEGORY: Antidumping
TYPE: LIQ-Liquidation PUBLIC ☒ NON-PUBLIC ☐
SUB-TYPE:

FR CITE: FR FR CITE DATE:

REFERENCE 4110202
MESSAGE #
(s):

CASE #(s): A-570-504

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 08/01/2001 TO 07/31/2002

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: SUPERCEDES LIQUIDATION MESSAGE 4110202 DATED 04192004 LIQUIDATION INSTRUCTIONS FOR CANDLES FROM CHINA FOR AUGUST 1, 2001 TO JULY 31, 2002 (A-570-504).

MESSAGE NO: 4124201

DATE: 05 03 2004

CATEGORY: ADA

TYPE: LIQ

REFERENCE: 4110202

REFERENCE DATE: 04 19 2004

CASES: A - 570 - 504

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PERIOD COVERED: 08 01 2001 TO 07 31 2002

LIQ SUSPENSION DATE:

TO: DIRECTORS OF FIELD OPERATIONS

PORT DIRECTORS

FROM: DIRECTOR, SPECIAL ENFORCEMENT

RE: SUPERCEDES LIQUIDATION MESSAGE 4110202 DATED 04192004
LIQUIDATION INSTRUCTIONS FOR CANDLES FROM CHINA FOR
AUGUST 1, 2001 TO JULY 31, 2002 (A-570-504).

1. THE DEPARTMENT OF COMMERCE HAS AMENDED THE FINAL RESULTS OF ITS ADMINISTRATIVE REVIEW OF THE ANTIDUMPING DUTY ORDER ON PETROLEUM WAX CANDLES FROM THE PEOPLE'S REPUBLIC OF CHINA FOR THE PERIOD AUGUST 1, 2001 TO JULY 31, 2002. THIS AMENDMENT WAS PUBLISHED IN THE FEDERAL REGISTER ON APRIL 19, 2004 (69 FR 20858). EFFECTIVE IMMEDIATELY, PLEASE FOLLOW ALL INSTRUCTIONS CONTAINED IN THIS EMAIL MESSAGE. THIS EMAIL MESSAGE SUPERCEDES THE

PREVIOUS LIQUIDATION INSTRUCTIONS, MESSAGE NUMBER
4110202, DATED APRIL 19, 2004.

2. FOR ALL SHIPMENTS OF PETROLEUM WAX CANDLES FROM THE
PEOPLE=S REPUBLIC OF CHINA EXPORTED BY THE FOLLOWING
PRODUCERS/EXPORTERS, ENTERED OR WITHDRAWN FROM WAREHOUSE
FOR CONSUMPTION ON OR AFTER AUGUST 1, 2001 AND ON OR
BEFORE JULY 31, 2002, ASSESS AN ANTIDUMPING LIABILITY AS
FOLLOWS:

PRODUCER/EXPORTER	MODULE NUMBER	ASSESSMENT RATE
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SHANDONG JIAYE GENERAL MERCHANDISE CO., LTD.	A-570-504-011	108.30 PERCENT OF ENTERED VALUE
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SHANGHAI CHARMING WAX CO., LTD.	A-570-504-012	108.30 PERCENT OF ENTERED VALUE
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3. FOR ALL SHIPMENTS OF PETROLEUM WAX CANDLES FROM THE
PEOPLES REPUBLIC OF CHINA EXPORTED BY THE FOLLOWING
PRODUCERS/EXPORTERS, ENTERED OR WITHDRAWN FROM WAREHOUSE
FOR CONSUMPTION ON OR AFTER AUGUST 1, 2001 AND ON OR
BEFORE JULY 31, 2002, ASSESS AN ANTIDUMPING LIABILITY AT
THE NEW PRC-WIDE ENTITY RATE (A-570-504-000) OF 108.30
PERCENT OF THE ENTERED VALUE:

DDP QINGDAO

ADP (NINGBO, PRC)

ADP SHANGHAI

ALLOCK LTD.

AMSTAR BUSINESS COMPANY LIMITED

ANYWAY INTERNATIONAL TRADING MANUFACTURING CO., LTD.

HUANGYAN IMP. EXP. CORP.

AROMA CONSUMER PRODUCTS (HANGZHOU) CO., LTD.

CANDLE WORLD INDUSTRIAL CO.

CHINA HEBEI BOYE GREAT NATION CANDLE CO., LTD.

CHINA OVERSEAS TRADING DALIAN CORP.

CHINA PACKAGING IMPORT EXPORT LIAONING CO.

CHINA XINXING ZHONGYUAN (WUHAN) IMP. EXP.
CNACC (ZHEJIANG) IMPORTS EXPORT CO., LTD.
CNART CHINA GIFTS IMPORT EXPORT CORP.
DANDONG HENGTONG HANDICRAFT ARTICLE CO., LTD.
(NO. 15 DAN SHONG ROAD)
DANDONG HENGTONG HANDICRAFTARTICLE CO., LTD.
(HAMATANG ZHEN)
EVER-GAIN INDUSTRIAL CO.
EXCEL NETWORK LIMITED
FAR GOING CANDLE GIFTS CO., LTD.
DONGIJENG FECUND IMP. EXP. CO. LTD.
FUJIAN PROVINCIAL ARTS CRAFTS IMP. EXP. CORP.
FU KIT
FUSHUN CANDLE CORPORATION
FUSHUN ECONOMY DEVELOPMENT ZONE XINYANG CANDLE FACTORY
FUSHUN HUAIYUAN WAX PRODUCTS CO., LTD.
FUSHUN YUHUA CRAFTS FACTORY
FUSHUN YUANHANG PARAFFIN PRODUCTS INDUSTRIAL COMPANY
GANSU TEXTILES IMP. EXP. CORP.
GREEN ISLANDS INDUSTRY SHANGHAI CO. LTD.
HUANGYAN IMP. EXP. CORP.
JASON CRAFT CORP.
JIANGSU HOLLY CORPORATION
JILIN PROVINCE ARTS AND CRAFTS
JIANGSU YIXING FOREIGN TRADE CORP.
JINTAN FOREIGN TRADE CORP.
KINGKING A.C. CO., LTD.
KUEHNE NAGEL (HONG KONG) BEIJING
KWUNG=S INTERNATIONAL TRADE CO., LTD.
LIAONING ARTS CRAFTS IMPORT EXPORT
LIAONING NATIVE PRODUCT IMPORT EXPORT CORPORATION, LTD.
LIAONING LIGHT INDUSTRIAL PRODUCTS IMPORT EXPORT CORP.
LIAONING LIGHT
LIAONING PROVINCE BUILDING MATERIALS INDUSTRIAL IM
LIAONING XINYUAN TEXTILES IMPORT AND EXPORT
LI FUNG TRADING LTD.
LU KE TRADING CO., LTD.
NINGBO FREE ZONE TOP RANK TRADING CO.

NINGBO FREE TRADE ZONE WEICHENG TRADING CO., LTD.
 NINGBO KWUNG=S GIFTWARE CO., LTD.
 NINGBO KWUNG=S IMPORT EXPORT CO.
 NINGBO SINCERE DESIGNERS MANUFACTURERS LTD.
 QINGDAO ALLITE RADIANCE CANDLE CO., LTD.
 QINGDAO HAPPY CHEMICAL PRODUCTS CO., LTD.
 QINGDAO KINGKING APPLIED CHEMISTRY CO., LTD.
 QUANZHOU WENBAO LIGHT INDUSTRY CO.
 RED SUN ARTS MANUFACTURE (YIXING) CO., LTD.
 RICH TALENT TRADING LTD.
 ROUND-THE-WORLD (USA) CORP.
 ROUND-THE-WORLD INTERNATIONAL TRADE TRANS.
 SERVICE (TIANJIN) CO., LTD.
 SEVEN SEAS CANDLE LTD.
 SHANDONG H T CORP.
 SHANDONG NATIVE PRODUCE INTERNATIONAL TRADING CO., LTD.
 SHANGHAI ASIAN DEVELOPMENT INT'L TR
 SHANGHAI BROAD TRADING CO. LTD.
 SHANGHAI GIFTS TRAVEL
 SHANGHAI GIFT TRAVEL PRODUCTS IMPORT EXPORT CORP.
 SHANGHAI JERRY CANDLE CO., LTD.
 SHANGHAI ORNATE CANDLE ART CO., LTD.
 SHANGHAI NEW STAR IM/EX CO., LTD.
 SHANGHAI SINCERE GIFTS DESIGNERS MANUFACTURERS, LTD.
 SHANGHAI SHEN HONG CORP.
 SHANGHAI SUCCESS ARTS CRAFTS FACTORY
 SHANGHAI XIETONG GROUP O/B ASIA 2 TRADING COMPANY
 SHANGHAI ZHEN HUA C/O SHANGHAI LIGHT INDUSTRIAL INT'L
 CORP., LTD.
 SILKROAD GIFTS
 SIMON INTERNATIONAL
 SUZHOU INDUSTRIAL PARK NAM KWONG IMP EXP CO., LTD.
 (NO. 339 EAST BAODAI ROAD, SUZHOU).
 SUZHOU INDUSTRIAL PARK NAM KWONG IMP EXP CO., LTD. (
 ZHONGXING CITY, CONGHUAN RD., SUZHOU)
 TIANJIN NATIVE PRODUCE IMPORT EXPORT GROUP CORP., LTD.
 TAIZHOU INTERNATIONAL TRADE CORP.
 TAIZHOU SUNGOD GIFTS CO., LTD.

THI GROUP LTD. AND THI (HK) LTD.

T.H.I.. (HK) LTD.

THI (HK) LTD.

TONGLU TIANDI

SHANGHAI ARTS AND CRAFTS COMPANY

UNIVERSAL CANDLE COMPANY LTD.

WELTACH

WORLD-GREEN (SHANGDONG) CORP., LTD.

WORLD WAY INTERNATIONAL (XIAMEN)

XIAMEN AIDER IMPORT EXPORT COMPANY

XIAMEN C D INC.

XIETONG (GROUP) CO., LTD.

ZHEJIANG NATIVE PRODUCE ANIMAL BY-PRODUCTS

IMPORT EXPORT CORP.

ZHONGNAM CANDLE

ZHONG NAM INDUSTRIAL (INTERNATIONAL) CO., LTD.

ZHONGXING SHENYANG COMMERCIAL BUILDING (GROUP) CO., LTD.

4. ON MARCH 24, 2004, THE U.S. COURT OF INTERNATIONAL TRADE ISSUED A PRELIMINARY INJUNCTION IN DONGGUAN FAY CANDLE CO., LTD. ET AL. V. UNITED STATES, COURT NO. 04-00134, ENJOINING LIQUIDATION OF SUBJECT MERCHANDISE MANUFACTURED OR EXPORTED BY DONGGUAN FAY CANDLE CO., LTD. FOR THE PERIOD AUGUST 1, 2001 THROUGH JULY 31, 2002. ACCORDINGLY, UNTIL FURTHER NOTICE, DO NOT LIQUIDATE ENTRIES OF SUBJECT MERCHANDISE WHICH WERE PRODUCED OR EXPORTED BY DONGGUAN FAY CANDLE CO., LTD. (A-570-504-004) AND WHICH WERE ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION ON OR AFTER AUGUST 1, 2001 AND ON OR BEFORE JULY 31, 2002. REFER TO MESSAGE NUMBER 4089203 (MARCH 29, 2004).

5. ON APRIL 14, 2004, THE DEPARTMENT OF COMMERCE CONSENTED TO A PRELIMINARY INJUNCTION ENJOINING LIQUIDATION OF SUBJECT MERCHANDISE MANUFACTURED OR EXPORTED BY SMARTCORD INTERNATIONAL CO., LTD. FOR THE PERIOD AUGUST 1, 2001 THROUGH JULY 31, 2002. ACCORDINGLY, UNTIL FURTHER NOTICE, DO NOT LIQUIDATE ENTRIES OF SUBJECT

MERCHANDISE WHICH WERE PRODUCED OR EXPORTED BY SMARTCORD INTERNATIONAL CO., LTD. (A-570-504-013) AND WHICH WERE ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION ON OR AFTER AUGUST 1, 2001 AND ON OR BEFORE JULY 31, 2002. ONCE THE FORMAL NOTIFICATION OF THIS PRELIMINARY INJUNCTION IS RECEIVED, COMMERCE WILL SEND FURTHER INSTRUCTIONS TO U.S. CUSTOMS AND BORDER PROTECTION (CBP).

6. FOR ALL OTHER ENTRIES OF SUBJECT MERCHANDISE NOT SPECIFICALLY ADDRESSED BY PARAGRAPHS 1 THROUGH 4 ABOVE, ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION ON OR AFTER AUGUST 1, 2001 AND ON OR BEFORE JULY 31, 2002, LIQUIDATE AT THE RATE IN EFFECT AT THE TIME OF ENTRY.

7. THESE INSTRUCTIONS CONSTITUTE THE IMMEDIATE LIFTING OF SUSPENSION OF LIQUIDATION OF ENTRIES FOR THE MERCHANDISE AND PERIOD LISTED ABOVE. FOR ALL OTHER SHIPMENTS OF PETROLEUM WAX CANDLES FROM THE PEOPLES REPUBLIC OF CHINA, YOU SHALL, UNLESS OTHERWISE INSTRUCTED, CONTINUE TO COLLECT CASH DEPOSITS OF ESTIMATED ANTIDUMPING DUTIES FOR THE MERCHANDISE AT THE CURRENT RATES.

8. THE ASSESSMENT OF ANTIDUMPING DUTIES BY CBP ON ENTRIES OF THIS MERCHANDISE IS SUBJECT TO THE PROVISIONS OF SECTION 778 OF THE TARIFF ACT OF 1930. SECTION 778 REQUIRES THAT CBP PAY INTEREST ON OVERPAYMENTS AND ASSESS INTEREST ON UNDERPAYMENTS OF THE REQUIRED AMOUNTS DEPOSITED AS ESTIMATED ANTIDUMPING DUTIES. THE INTEREST PROVISIONS ARE NOT APPLICABLE TO CASH OR BONDS POSTED AS ESTIMATED ANTIDUMPING DUTIES BEFORE THE DATE OF PUBLICATION OF THE ANTIDUMPING DUTY ORDER. INTEREST SHALL BE CALCULATED FROM THE DATE PAYMENT OF ESTIMATED ANTIDUMPING DUTIES IS REQUIRED THROUGH THE DATE OF LIQUIDATION. THE RATE AT WHICH SUCH INTEREST IS PAYABLE IS THE RATE IN EFFECT UNDER SECTION 6621 OF THE INTERNAL REVENUE CODE OF 1954 FOR SUCH PERIOD.

9. UPON ASSESSMENT OF ANTIDUMPING DUTIES, CBP SHOULD REQUIRE THAT THE IMPORTER PROVIDE A REIMBURSEMENT STATEMENT AS DESCRIBED IN SECTION 351.402(f)(2) OF THE COMMERCE DEPARTMENT REGULATIONS. THE IMPORTER SHOULD PROVIDE THE REIMBURSEMENT STATEMENT PRIOR TO LIQUIDATION OF THE ENTRY. IF THE IMPORTER CERTIFIES THAT IT HAS AN AGREEMENT WITH THE EXPORTER TO BE REIMBURSED FOR ANTIDUMPING DUTIES, CBP SHOULD DOUBLE THE ANTIDUMPING DUTIES IN ACCORDANCE WITH THE ABOVE-REFERENCED REGULATION. ADDITIONALLY, IF THE IMPORTER DOES NOT RESPOND TO YOUR FORMAL REQUEST (VIA CF 28 OR 29) FOR THE REIMBURSEMENT STATEMENT PRIOR TO LIQUIDATION, CBP SHOULD PRESUME REIMBURSEMENT AND DOUBLE THE ANTIDUMPING DUTIES DUE.

10. IF THERE ARE ANY QUESTIONS REGARDING THIS MATTER BY CBP OFFICERS, THE IMPORTING PUBLIC OR INTERESTED PARTIES, PLEASE CONTACT DAVINA HASHMI AT OFFICE OF AD/CVD ENFORCEMENT, IMPORT ADMINISTRATION, INTERNATIONAL TRADE ADMINISTRATION, U.S. DEPARTMENT OF COMMERCE, AT (202) 482-0984 (GENERATED BY G307:SGW).

11. THERE ARE NO RESTRICTIONS ON THE RELEASE OF THIS INFORMATION.

CATHY SAUCEDA

Company Details

*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party